

HCS HB 162 -- DRAINAGE PENALTY FOR PUBLIC ROADS

SPONSOR: Eggleston

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 13 to 0. Voted "Do Pass" by the Committee on Rules - Administrative Oversight by a vote of 8 to 5.

This bill abolishes certain criminal penalties and fines for obstruction of a public road under Section 229.150, RSMo, and instead sets up a system for the notification of landowners and requirements involving the repair of such roads. Landowners causing an obstruction will be notified by the county highway engineer or road overseer and given at least 30 days to make repairs. Certain extensions of time are allowed, as specified in the bill. If repairs are not made, then the road may be repaired by the county highway engineer or road overseer to a condition substantially the same as the adjacent roadways and drainage ditches. The repair costs will be billed to the requisite political subdivision and then recovered from the landowner causing the obstruction via a special tax on the land that may be enforced by a lien and collected in the same manner as state and county taxes. Charter counties are authorized to provide alternative measures to address obstructions.

PROPONENTS: Supporters say that this is a safety issue, especially when the gravel and dirt roads are already narrow.

Testifying for the bill were Representative Eggleston; Ivan Kanak; Ivan Klippenstien; and Glen Klippenstein.

OPPONENTS: There was no opposition voiced to the committee.